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PATENT

Docket No. 150.00880103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Derderian et al.

Group Art Unit: 2818

Serial No.: 10/045,345

Examiner: Dang, Phuc T.

Confirmation No.: 1310

Filed: 25 October 2001

For: **METHODS FOR FORMING ROUGH RUTHENIUM-CONTAINING LAYERS
AND STRUCTURES/METHODS USING SAME****FAX RECEIVED****RESPONSE TO RESTRICTION REQUIREMENT**

MAY 27 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

TECHNOLOGY CENTER 2800

Dear Sir:

In the Restriction Requirement dated 29 November 2002, the Examiner issued the following restrictions: Group I, claims 1-29 and 44-45; Group II, claims 30-40; Group III, claims 46-60; and Group IV, claims 61-68.

On 10 December 2002, Applicants' Representative, Jay Pralle, spoke with the Examiner regarding the pending Restriction Requirement. Mr. Pralle informed the Examiner that claims 1-45 had been cancelled in the Request for Filing a Divisional Patent Application Under Rule 1.53(b) dated 25 October 2001, and, therefore, the Restriction Requirement including such cancelled claims was inaccurate. The Examiner responded that he would withdraw all pending restrictions and send to Applicants confirmation of such withdrawal. As of the one month date of the pending Restriction Requirement, Applicants have not received written confirmation of this withdrawal. It is Applicants' understanding that no Restriction Requirement is currently pending.

In the event, however, that the pending Restriction Requirement has not been withdrawn, Applicants elect, with traverse, Group III (claims 46-60), drawn to a method for use in forming a capacitor. Applicants' Representatives reserve the right to pursue examination of the non-elected claims in continuation or divisional applications. Applicants respectfully request reconsideration of the restrictions in this case and submit that the inventions as claimed can be

Readily evaluated in one search without placing undue burden on the Examiner.

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The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. § 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 C.F.R. § 1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 30th day of December, 2002, at 1:55pm (Central Time).

Sara E. Olson
Name: SARA E. OLSON

30 Dec 2002
Date

Respectfully submitted for

Micron Technology, Inc.,

By
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**26813**

PATENT TRADEMARK OFFICE

By: Mark J. Gebhardt
Mark J. Gebhardt
Reg. No. 35,518
Direct Dial (612)305-1216

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			PATENT		
			Docket No. 150.00880103		
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
Applicant(s):	Derderian et al.)	Group Art Unit:	2818	
Serial No.:	10/045,345)	Examiner:	Dang, Phuc T.	
Confirmation No.:	1310)			
Filed:	25 October 2001)			
For:	METHODS FOR FORMING ROUGH RUTHENIUM-CONTAINING LAYERS AND STRUCTURES/METHODS USING SAME				
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Date		Name: <u>SARA B. OLSON</u>			
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AND STRUCTURES/METHODS USING SAME

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Assistant Commissioner for Patents
 Attn: Examiner Phuc T. Dang
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Mueting, Raasch & Gebhardt, P.A.
 Customer Number: 26813



26813

PATENT TRADEMARK OFFICE

27 May 2003
 Date

By: Mark J. Gebhardt
 Mark J. Gebhardt
 Reg. No. 35,518
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May 27, 2003
 Date

Signature: SARA E. OLSON

Name: SARA E. OLSON

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